

BEFORE THE BOARD OF ZONING ADJUSTMENT, D.C.

Application No. 12258 of Lewis Doby, pursuant to Sub-section 8207.11 of the Zoning Regulations, for a use variance from the strict application of Sub-section 6101.1 to permit the use of the premises as flats, second (2nd) floor and basement, in the C-M-1 district at the premises 2023 11th Street, N.W. (Lot 801, Square 332).

HEARING DATE: December 15, 1976

DECISION DATE: February 8, 1977

FINDINGS OF FACT:

1. The property is located in a C-M-1 district.
2. The second (2nd) and basement floors of the property have been used for residential purposes since 1931.
3. The non-conforming use of the property has never been registered.
4. The property is adjacent to, and in the immediate vicinity of, similar residential non-conforming uses; specifically, 2031, 2029, 2027, 2025, 2021, 2015 and 2003 11th Street, N.W.
5. There was no opposition to the application.


CONCLUSIONS OF LAW AND OPINION

The Board concludes that the requested variance is a use variance requiring a showing of hardship. The Board concludes that, due to the condition of the property and its long standing use as a residential property, requiring strict compliance with the regulations would operate as a hardship. The Board concludes that the granting of relief would not impair the character of the neighborhood and the integrity of the zoning plan. It is therefore ORDERED that the application be GRANTED.

VOTE: 3-0-1 (William F. McIntosh, Richard L. Stanton and Leonard L. McCants, Esq., to grant Lilla Burt Cummings, Esq., not voting, not having heard the case.)

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BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY: 
ARTHUR B. HATTON
Executive Secretary

FINAL DATE OF THE ORDER: 3-22-77

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.